159-273

86th Congress, 1st Session } HOUSE OF REPRESENTATIVES { Report No. 916

PROVIDING FOR THE ERECTION OF A MEMORIAL TABLET AT GARDEN KEY, FLA., IN HONOR OF DR. SAMUEL ALEXANDER MUDD

August 17, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. Pfost, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.J. Res. 80]

The Committee on Interior and Insular Affairs, to whom was referred the joint resolution (H.J. Res. 80) providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd, having considered the same, report favorably thereon with an amendment and recommend that the joint resolution as amended do pass.

The amendment is as follows:

Page 2, line 5, strike out the words "imprisoned for a crime which he did not commit," and insert in lieu thereof the word "imprisoned,".

Strike out all of the preamble.

PURPOSE

House Joint Resolution 80, as amended, provides for the erection of a tablet at Garden Key, Fla., to honor the memory of Dr. Samuel Alexander Mudd and in recognition of his great service during the yellow fever epidemic of 1867 at Fort Jefferson where he was imprisoned. House Joint Resolution 80 was introduced by Representative Bentley. An identical measure, House Joint Resolution 433, by Representative Fascell, was also considered by the committee. The original legislative effort to secure recognition for Dr. Mudd was made in House Joint Resolution 496, 74th Congress, by Representative Randolph. Adoption of that measure was recommended by the Department of the Interior, and it was favorably reported by the then Committee on Public Lands.

The tablet would be erected within the Fort Jefferson National Monument, which is under the jurisdiction of the National Park Service, Department of the Interior. The National Park Service has developed a plan to provide a visitor center at the monument. At this center the history of the old fort, including the record of Dr. Mudd's outstanding medical aid to yellow fever victims, will be presented to the public.

NEED

The nature of Dr. Mudd's conduct during the epidemic of 1867 is indicated in the following extracts from the document executed by President Andrew Johnson on June 29, 1869, granting to Dr. Mudd a full and unconditional pardon, and terminating his imprisonment at Fort Jefferson under judgment of a military commission for conspiracy in connection with the assassination of President Abraham Lincoln:

> * * * upon occasion of the prevalence of the yellow fever at that military station, and the death by that pestilence of the medical officer of the Post, the said Samuel A. Mudd devoted himself to the care and the cure of the sick, and interposed his courage and his skill to protect the garrison, otherwise without adequate medical aid, from peril and alarm, and thus, as the officers and men united in testifying, saved many valuable lives and earned the admiration and the gratitude of all who observed or experienced his generous and faithful service to humanity;
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> * * * the surviving families and friends of the Surgeon and other officers who were the victims of the pestilence earnestly present their dying testimony to the conspicuous merit of Dr. Mudd's conduct, and their own sense of obligation to him and Lieut. Zabriskie, and two hundred and ninety-nine non-commissioned officers and privates stationed at the Dry Tortugas have united in presenting to my attention the praiseworthy action of the prisoner and in petitioning for his pardon; * * *.

Support for this measure was received from various sources, including the Dade County Medical Association of Miami, Fla., and the Southern Cross Chapter, United Daughters of the Confederacy, Coral Gables, Fla.

A letter received from Congressman Fascell on House Joint Resolution 80 and House Joint Resolution 433 follows:

House of Representatives,
Washington, D.C., August 6, 1959.

Hon. Wayne N. Aspinall,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

Dear Mr. Chairman: I am advised that the committee has under consideration the approval of House Joint Resolution 433, which I introduced as a cosponsor of House Joint Resolution 80 (Bentley of Michigan).

Our colleague, Congressman Bentley, was the original introducer of the legislation and has had a long interest in the subject since a relative of Dr. Mudd lives in his district.

While the site of the proposed memorial tablet is in my district, I would have no objection to the committee considering either measure.

Sincerely,

DANTE B. FASCELL,
Member of Congress.

COMMITTEE AMENDMENT

The committee struck all of the preamble to House Joint Resolution 80 and one phrase in the text, covering controversial matters of history about which the committee has no expert knowledge and on which it does not wish to pass judgment. As amended, the joint resolution will properly confine itself to a recognition of Dr. Mudd's meritorious professional service as an imprisoned physician during the yellow fever epidemic of 1867.

COST

Only a very small sum, probably not more than $300, will be expended as a result of House Joint Resolution 80.

DEPARTMENT RECOMMENDATION

The Department of the Interior, in its report which follows, offered no objection to the enactment of this legislation.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 25, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on House Joint Resolution 80, a joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd.

This Department has no objection to the enactment of House Joint Resolution 80.

This resolution provides for the erection of a memorial tablet on the site of the ruins of Fort Jefferson, Garden Key, Fla., in the memory and honor of Dr. Samuel Alexander Mudd.

Although the providing of memorial treatment through markers, monuments, and sculpture, is often inconsistent with this Department's practice of administering historical areas in such a way as to preserve the historic scene, we do not feel that the proposed tablet would be objectionable at Fort Jefferson. We would point out, however, that a visitor center is being planned for the Fort Jefferson National Monument and that the entire history of the fort, including Dr. Mudd's, will be told.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

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COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of House Joint Resolution 80, as amended.

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